

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SUPERB MOTORS INC., TEAM AUTO SALES LLC,  
ROBERT ANTHONY URRUTIA, 189 SUNRISE  
HWY AUTO LLC, NORTSHORE MOTOR  
LEASING, LLC, BRIAN CHABRIER, individually and  
derivatively as a member of NORTSHORE MOTOR  
LEASING, LLC, JOSHUA AARONSON, individually  
and derivatively as a member of 189 SUNRISE HWY  
AUTO, LLC, JORY BARON, 1581 HYLAN BLVD  
AUTO LLC, 1580 HYLAN BLVD AUTO LLC, 1591  
HYLAN BLVD AUTO LLC, 1632 HYLAN BLVD  
AUTO LLC, 1239 HYLAN BLVD AUTO LLC, 2519  
HYLAN BLVD AUTO LLC, 76 FISK STREET  
REALTY LLC, 446 ROUTE 23 AUTO LLC and  
ISLAND AUTO MANAGEMENT, LLC,

Plaintiffs,

-against-

ANTHONY DEO, SARAH DEO, HARRY  
THOMASSON, DWIGHT BLANKENSHIP, MARC  
MERCKLING, MICHAEL LAURIE, THOMAS  
JONES, CPA, CAR BUYERS NYC INC., GOLD  
COAST CARS OF SYOSSET LLC, GOLD COAST  
CARS OF SUNRISE LLC, GOLD COAST MOTORS  
AUTOMOTIVE GROUP LLC, GOLD COAST  
MOTORS OF LIC LLC, GOLD COAST MOTORS OF  
ROSLYN LLC, GOLD COAST MOTORS OF  
SMITHTOWN LLC, UEA PREMIER MOTORS  
CORP., DLA CAPITAL PARTNERS INC., JONES,  
LITTLE & CO., CPA'S LLP, FLUSHING BANK, and  
LIBERTAS FUNDING LLC,

Defendants.

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**Case No.: 2:23-cv-6188 (OEM) (JMW)**

**DECLARATION OF BRUCE  
NOVICKY IN ACCORDANCE  
WITH THIS COURT'S SEPTEMBER  
29, 2023 PRELIMINARY  
INJUNCTION ORDER**

Bruce Novicky declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the  
following is true and correct:

1. I am the Chief Operating Officer of Superb Motors Inc. (“Superb”) and Team Auto Sales LLC (“Team”) and work with Robert Anthony Urrutia (“Urrutia”) (Superb, Team, and Urrutia collectively hereinafter the “Moving Plaintiffs”).

2. As such, I am familiar with all the facts and circumstances heretofore had herein based upon my personal knowledge and a review of this Court’s September 29, 2023 Memorandum and Order on Preliminary Injunction (hereinafter the “Order”), documents I maintain at Superb and Team, in addition to information I have learned from employees, customers, vendors, and other third parties concerning the issues relevant to this case.

3. As of today, October 2, 2023, the twenty-eight (28) vehicles listed on the list at ECF Docket Entry [30-8](#) (“Markup List”) indicated with “YES” are located at Volkswagen of Freehold, 4360 US Route 9, Freehold, NJ 07728, with the exception of one (1) vehicle – WBA2H9C36HV986948 2017 BMW 2 Series – which is currently at an automobile repair shop in Astoria, NY, and will be returned to Volkswagen of Freehold upon completion of repairs there.

4. As of today, October 2, 2023, the two (2) Isuzu flatbed trucks are currently located at Superb Motors, 215 Northern Boulevard, Great Neck, NY 11021.

5. Of the remaining fifty-five (55) vehicles, we have ascertained the whereabouts of the following twelve (12) vehicles, which were not stolen by the Deo Defendants:

- |    |                   |      |                              |
|----|-------------------|------|------------------------------|
| a. | 5YMTS0C02L9B09685 | 2020 | BMW X3 M                     |
| b. | 55SWF4KB0HU188660 | 2017 | Mercedes-Benz C-Class        |
| c. | 1C4PJMDX3KD245817 | 2019 | Jeep Cherokee                |
| d. | WBASP0C58DC988075 | 2013 | BMW 5 Series Gran Turismo    |
| e. | WBS3U9C50FP967858 | 2015 | BMW M4                       |
| f. | 1FMCU9JD3HUD14412 | 2017 | Ford Escape                  |
| g. | 1C4HJXFN5JW331845 | 2018 | Jeep Wrangler Unlimited      |
| h. | WDDSJ4GB7JN508433 | 2018 | Mercedes-Benz CLA            |
| i. | SALYA2EX8KA791014 | 2019 | Land Rover Range Rover Velar |
| j. | WAUB4CF56JA083170 | 2018 | Audi S5 Sportback            |
| k. | ZAM57YTLXK1316469 | 2019 | Maserati Ghibli              |
| l. | ZAM56RRAXG1187624 | 2016 | Maserati Quattroporte        |

6. As such, we do not seek for the Deo Defendants to return those vehicles.<sup>1</sup>

7. This leaves forty-three (43) cars that are unaccounted for from the Markup List.

8. Those forty-three (43) vehicles are listed in a spreadsheet we have prepared. See copy of spreadsheet with remaining vehicles annexed hereto as **Exhibit "A."**

9. Although the Deo Defendants have provided a list of vehicles that they admitted to having, they have not explained the whereabouts of these remaining vehicles.

10. The Deo Defendants should therefore be required to return any remaining vehicles in their possession, custody, or control that belong to Superb, including these forty-three (43) vehicles.

11. To the extent that the Deo Defendants are unable to do so, they should provide sworn testimony concerning what happened with each of these remaining forty-three 43 vehicles.

12. I respectfully request that this Court grant the additional relief requested herein.

I declare under penalty of perjury that the foregoing is true and correct. Executed on October 2, 2023.



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Bruce Novicky

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<sup>1</sup> The Moving Plaintiffs respectfully seek damages from the Defendants in relation to these vehicles and the thirty (30) vehicles recovered with the assistance of the Hon. James M. Wicks, U.S.M.J. because the Deo Defendants kept the funds related to the floor plan financing of those vehicles but that is not relevant to the instant preliminary injunction Order.